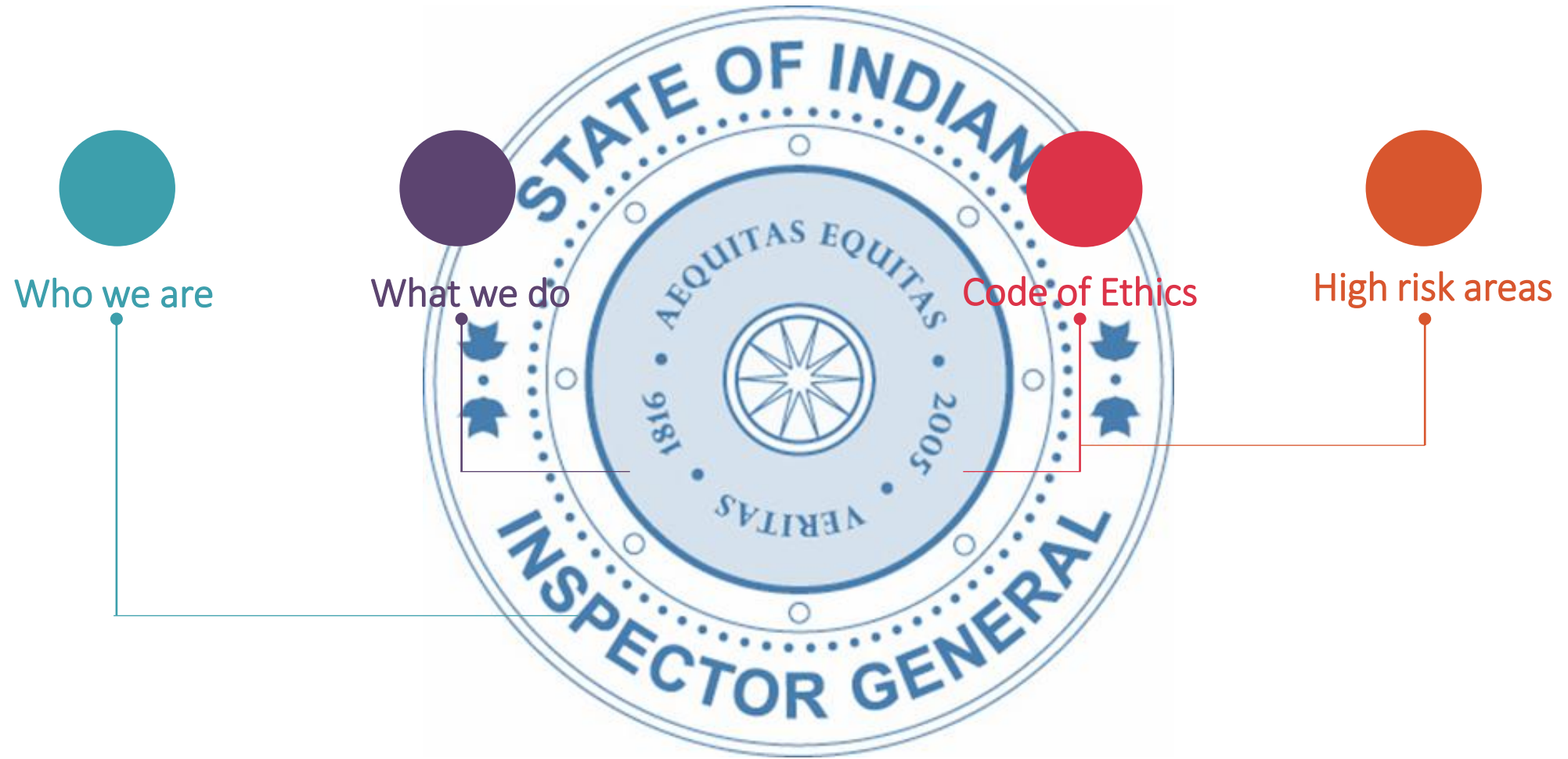


# Ethics 101

**Cyndi Carrasco, Indiana Inspector General**

**Tiffany Mulligan, Chief Legal Counsel, Office of Inspector General**



Establish  
Code of  
Ethics

Advise

Attorneys &  
Investigators

Educate

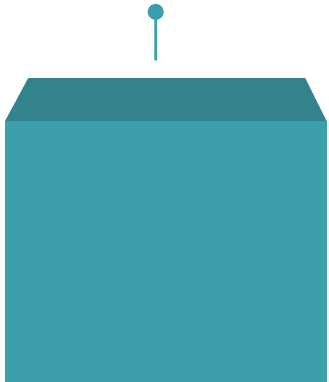
Investigate

## Who we are and What we do: Office of Inspector General

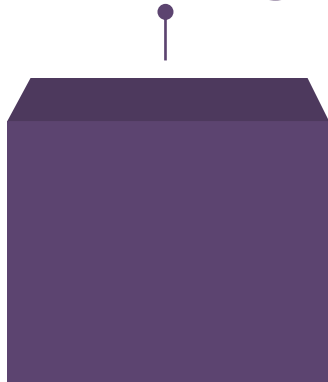


# Who we are and What we do: State Ethics Commission

5 members



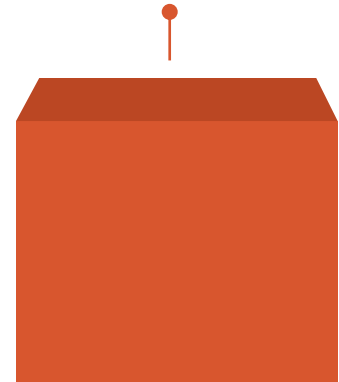
Monthly  
Meetings



Advise



Adjudicate



# OIG Investigations

## Types

- Criminal
- Ethics
- Efficiency

## Confidentiality

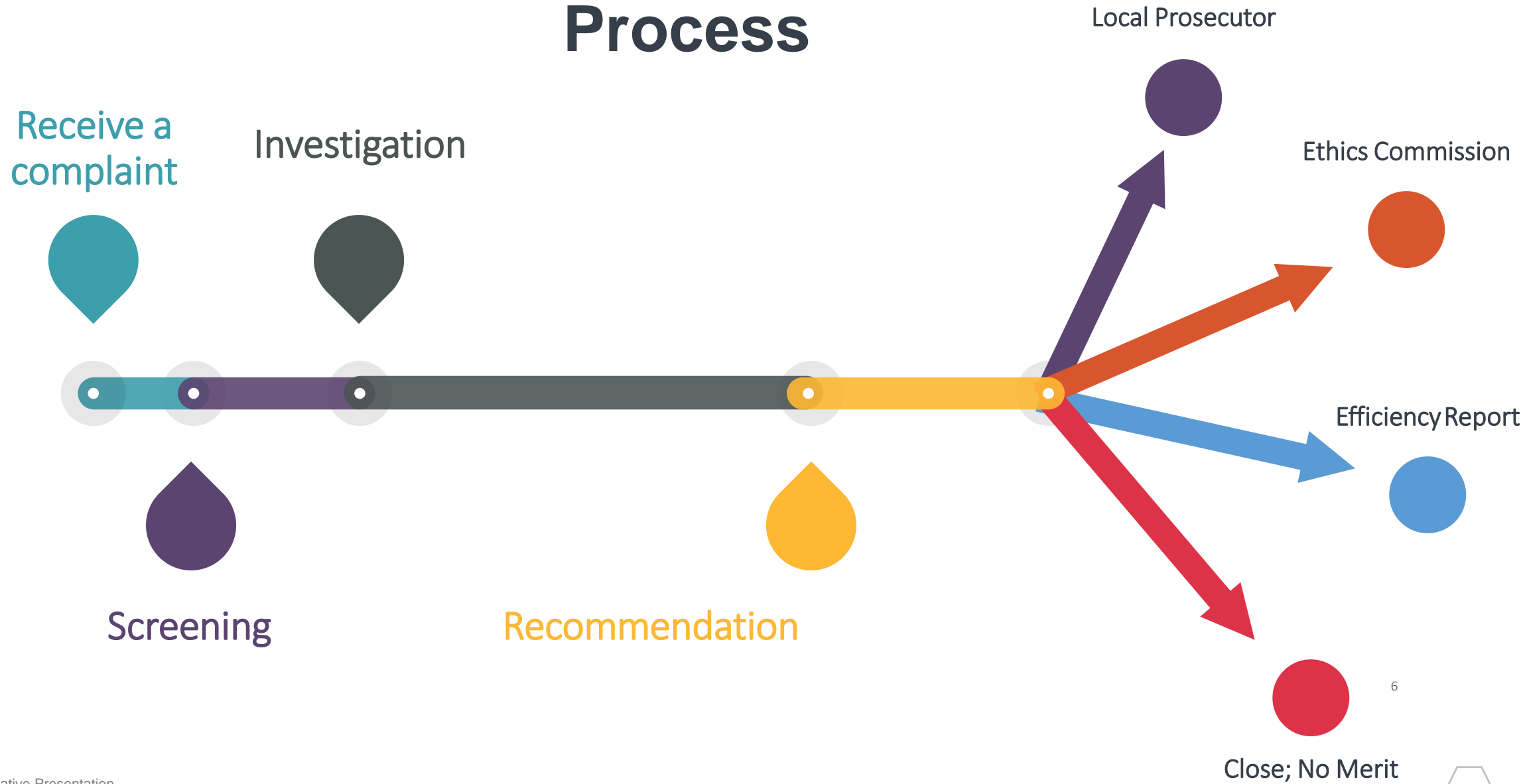
- Investigations are confidential, unless waived
- Waiver of confidentiality must be made by target.

## Reporting

- No duty to report
- Benefits of reporting to OIG
- What to expect when you make a report to the OIG







# OIG Investigations: Process







# Advisory Opinions

## Informal Advisory Opinions

-  Issued by OIG attorneys
-  Confidential
-  Prospective in nature
-  Evidence of good faith effort to comply with Ethics Code

## Formal Advisory Opinions

-  Issued by the State Ethics Commission
-  Public
-  Prospective in nature
-  Conclusive proof of compliance with Ethics Code

# Ethics Officers



# Ethics Code: High Risk Areas

01 Conflict of Interests -  
Decisions and voting

02 Nepotism

03 Political activity

04 Gifts

05 Post-Employment



# Conflict of Interests

## IC 4-2-6-9

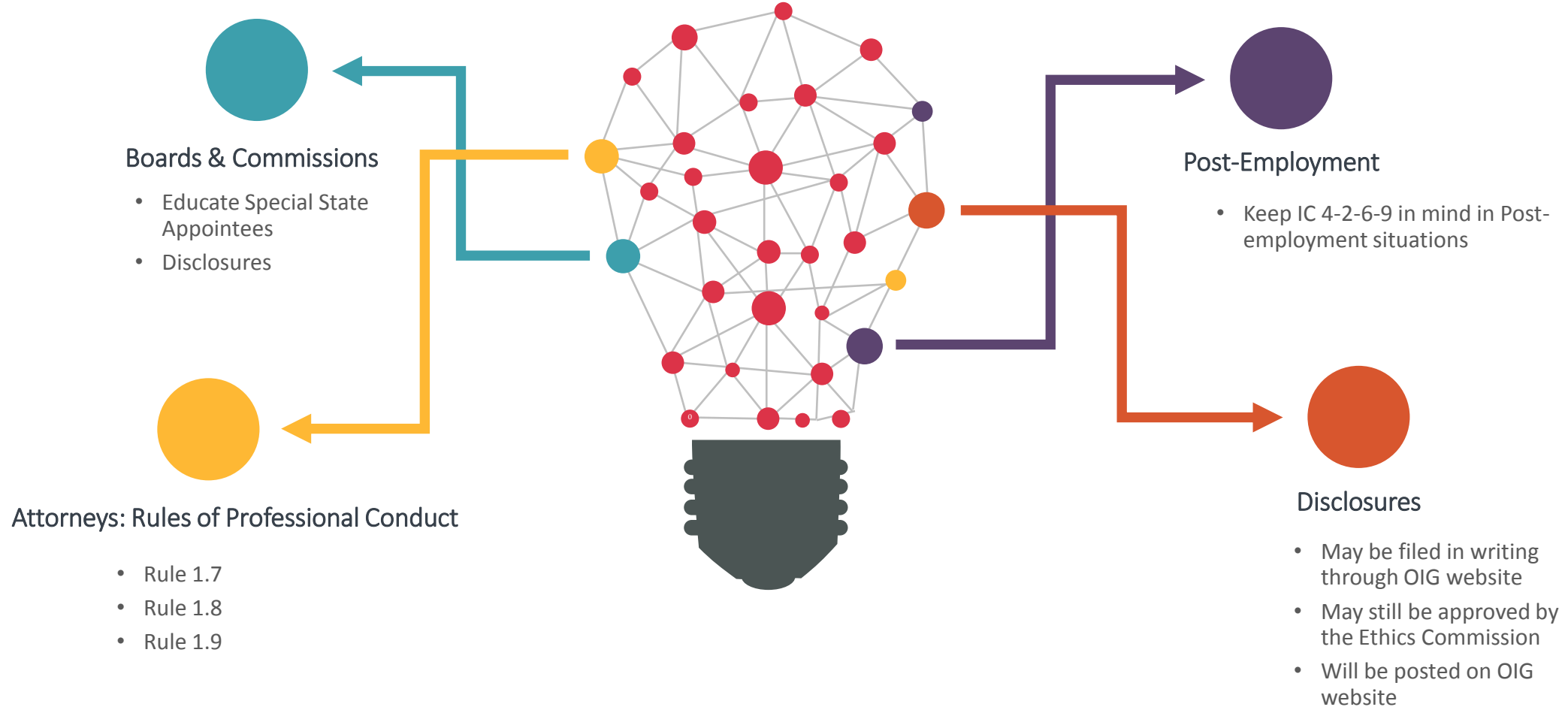
- No participation in decisions or votes, or matters related to those decisions or votes, if any of the following have a financial interest:
  - You
  - Your immediate family member
  - Business organization in which you are employed
  - Anyone you are negotiating prospective employment with

# Conflict of Interests

## IC 4-2-6-9

- Legislative Changes
  - Broader Prohibition – Beyond the Vote
  - New Disclosure Option
- Still cannot participate in the matter

# Conflict of Interests: Things to remember



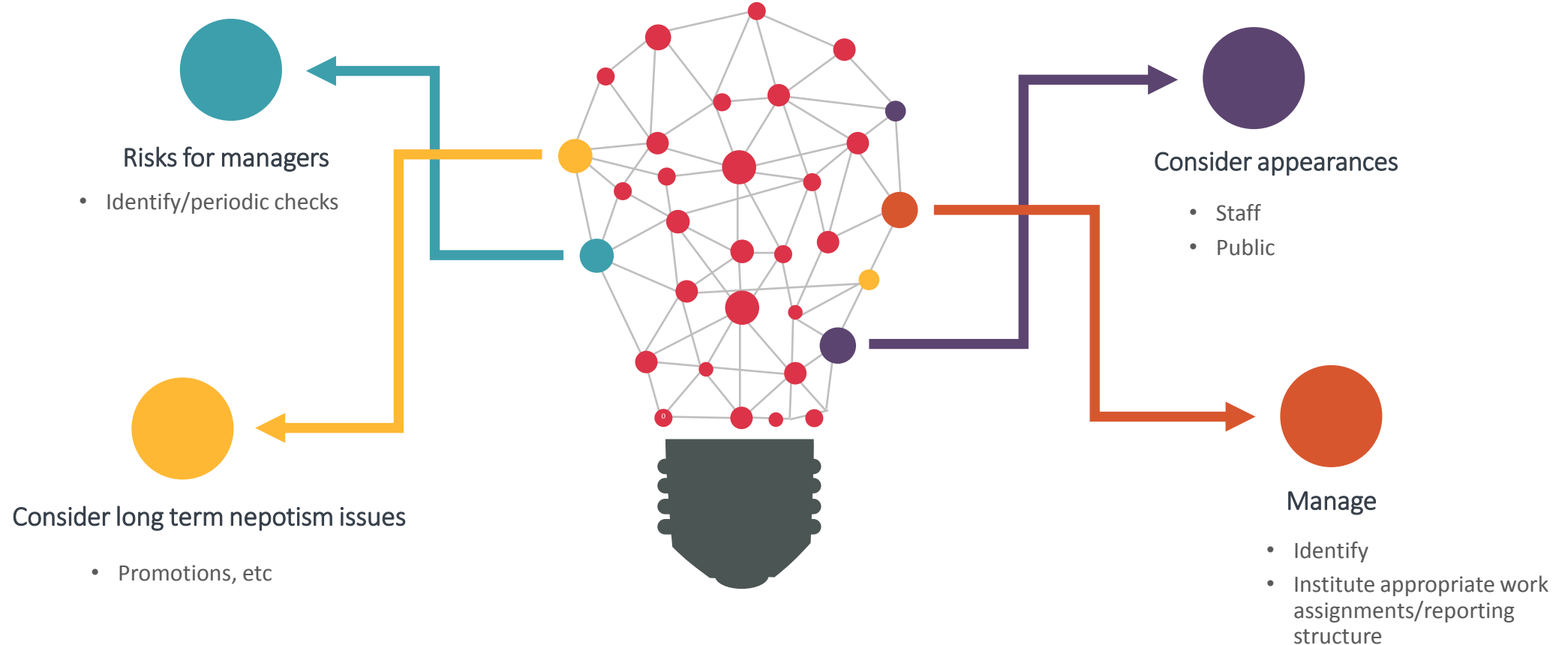
# Nepotism

## IC 4-2-6-16

### **DO NOT:**

- Hire a relative
- Be employed by agency where your relative is the appointing authority
- Have relatives in your direct line of supervision
- Contract with or supervise work of a contractor if relative is partner, executive officer, or sole proprietor
- Participate in a violation of the rule

# Nepotism: Things to remember



# Political Activity

## 42 IAC 1-5-4

### CAN:

- Vote
- Make political donation with own money
- Attend political fundraisers on own time and when off-duty
- Work polls

# Political Activity

## 42 IAC 1-5-4

### CANNOT:

- Engage in political activity while on duty or while acting in official capacity
- Solicit political contributions from anyone who has a business relationship with agency
- Solicit political contributions from anyone if you have purchasing authority or are an agency head

# Political Activity

## 42 IAC 1-5-4

### **Other Ethics Rules**

- Use of State Property
- Ghost Employment

### **Other Laws**

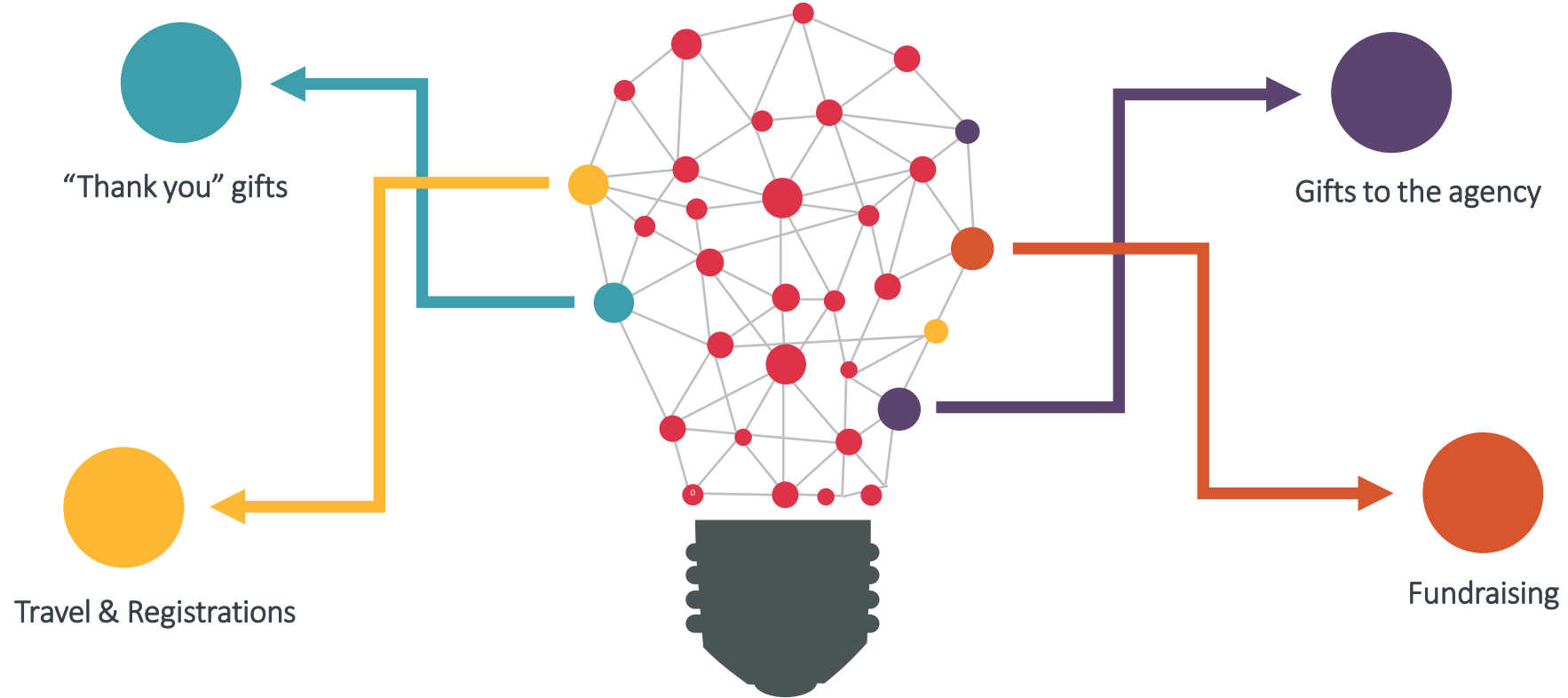
- Hatch Act
- Dual Office Holding

# Gifts

## 42 IAC 1-5-1

- Cannot accept or solicit gift from anyone that has a business relationship with your agency unless it meets an exception or you get a waiver
- What is business relationship?
  - More than just contracts
  - Includes:
    - Licenses
    - Lobbyists
- Is it seeking to influence?
- No dollar amount

# Gifts: Things to remember



# Post-Employment IC 4-2-6-11

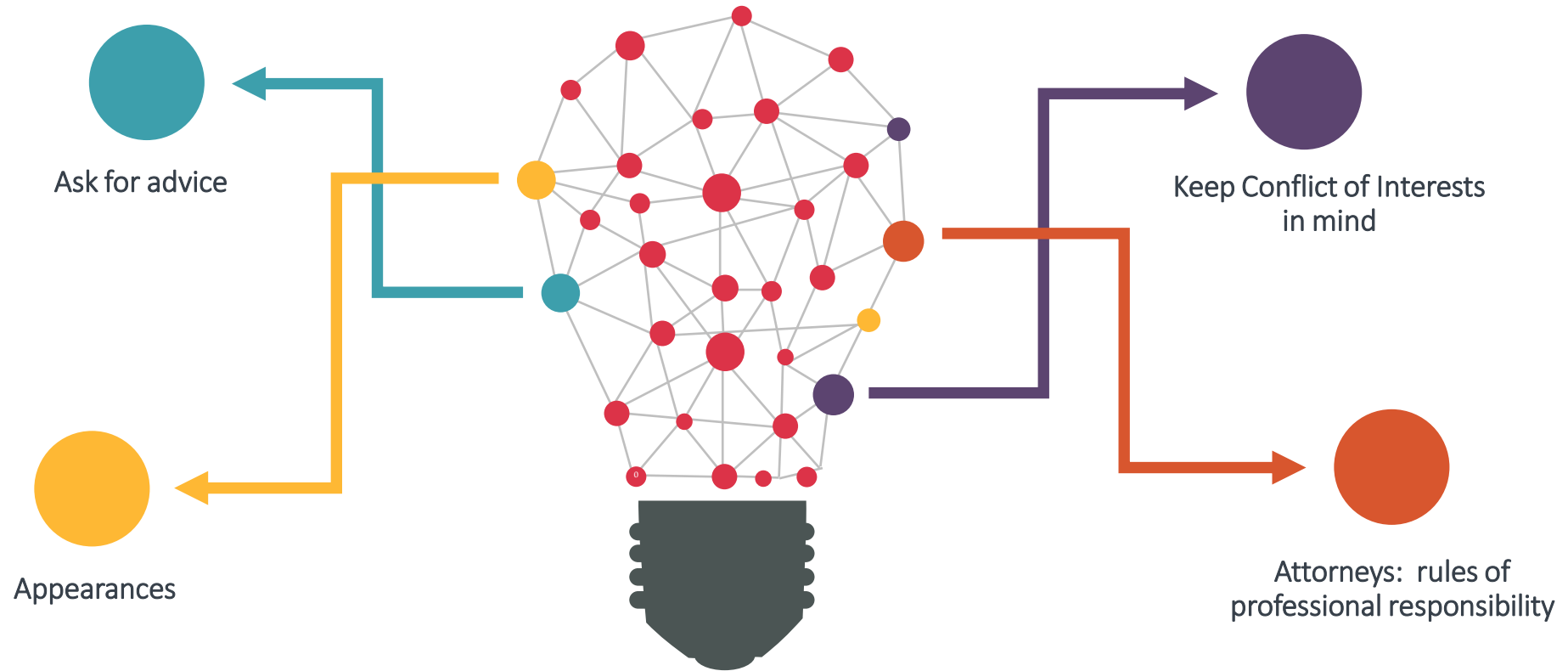
- Three restrictions:
  - Cooling Off Period
    - Lobbying restriction for one year
    - Restriction on who you can work for for one year
  - Particular Matter Restriction
    - Prohibits what you can work on for lifetime of the matter
  - Circumstantial Restriction
    - Cannot accept position if circumstances suggest influence

# Post-Employment

## IC 4-2-6-11

- Legislative Changes:
  - Cooling Off Restrictions
    - Two-year exception to contract negotiation restriction
    - ALJ provision
  - Waiver review by Commission
  - Definition of employer

# Post-employment: Things to remember



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